



**STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102**

**CONSENT AGENDA FOR BOARD MEETING
WEDNESDAY, FEBRUARY 1, 2006
10:00 a.m. – NEWARK**

I. CLEAN ENERGY

- A.** Non-Docketed Matter - In the Matter of Award of Two Recoverable Grants in the Renewable Energy Economic Development (REED) Program to be Issued through the New Jersey Economic Development Authority – A) Reaction Sciences, Inc.; and B) Princeton Power System.

II. ENERGY

- A.** Docket No. EE05100894 – In the Matter of the Petition of Atlantic City Electric Company for Approval of an Ordinance Adopted by the City of Atlantic City Granting Consent to Erect, Maintain and Operate Utility Facilities for the Purpose of Providing Electric Service.

III. CABLE TELEVISION

- A.** Docket No. CR05090816 – In the Matter of Comcast of Burlington County, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- B.** Docket Nos. CR05090817, CR05090818, CR05090819 – In the Matter of Comcast of Central New Jersey, LLC (East Brunswick, East Windsor and West Windsor) for Approval of the Filings of FCC Forms 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- C.** Docket No. CR05090820 – In the Matter of Comcast of Garden State, LP (Carney's Point) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- D.** Docket No. CR05090821 – In the Matter of Comcast of Garden State, LP for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- E.** Docket No. CR05090822 – In the Matter of Comcast of Gloucester County, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.

III. CABLE TELEVISION (CONT'D)

- F.** Docket No. CR05090823 – In the Matter of Comcast of Long Beach Island, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- G.** Docket No. CR05090824 – In the Matter of Comcast of Monmouth County, LLC (Monmouth) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- H.** Docket No. CR05090825 – In the Matter of Comcast of Monmouth County, LLC (Freehold) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- I.** Docket No. CR05090828 – In the Matter of Comcast of Ocean County, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- J.** Docket No. CE05070627 - In the Matter of the Petition of Comcast Cablevision of New Jersey II, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System in and for the Township of Maplewood, County of Essex, State of New Jersey.
- K.** Docket No. CO05121023 - In the Matter of Comcast's Systems in New Jersey, Request for Waiver, Nunc Pro Tunc, of the 30-Day Notice Period for Filing of an Alteration in Channel Allocation Pursuant to N.J.A.C. 14:18-3.17(A) and (B).
- L.** Docket No. CR05110912 – In the Matter of Cablevision of Hudson County, Inc. for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- M.** Docket No. CR05110913 - In the Matter of Cablevision of Monmouth, Inc. (Lakewood) for Approval of the Filings of FCC Forms 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- N.** Docket No. CR05110914 – In the Matter of Cablevision of Monmouth, Inc. (Seaside) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- O.** Docket No. CR05110915 - In the Matter of Cablevision of Monmouth, Inc. (Wall) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.

III. CABLE TELEVISION (CONT'D)

- P.** Docket No. CR05110916 – In the Matter of Cablevision of Newark for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- Q.** Docket No. CR05110917 – In the Matter of Cablevision of New Jersey, Inc. (Bayonne) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- R.** Docket No. CR05110918 – In the Matter of Cablevision of New Jersey, Inc. (Bergen) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- S.** Docket No. CR05110919 – In the Matter of Cablevision of Oakland, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- T.** Docket No. CR05110920 – In the Matter of Cablevision of Paterson, LLC for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using Optional Expedited Rate Procedures.
- U.** Docket No. CR05110922– In the Matter of Cablevision of Rockland/Ramapo, LLC (Montvale) for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- V.** Docket No. CR05110926 – In the Matter of CSC TKR, Inc. d/b/a Cablevision of Morris for Approval of the Filing of FCC Form 1240, an Annual Updating of the Maximum Permitted Rate for the Regulated Basic Cable Service Using the Optional Expedited Rate Procedures.
- W.** Docket No. CE05080670 – In the Matter of the Petition of Comcast of Monmouth County, LLC for a Renewal Certificate of Approval to Continue to Construct Operate and Maintain a Cable Television System in and for the Borough of Red Bank, County of Monmouth, State of New Jersey.
- X.** Docket Nos. CE05121067 and CE05030298 – In the Matter of the Petition of Comcast of New Jersey, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System and Cable Communications System in and for the City of East Orange, County of Essex, State of New Jersey.

III. CABLE TELEVISION (CONT'D)

- Y.** Docket No. CE05100844 – In the Matter of the Petition of Cablevision of Oakland, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Pompton Lakes, County of Passaic, State of New Jersey.
- Z** Docket No. CE05100900 – In the Matter of the Petition of Cablevision of Oakland, LLC for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Riverdale, County of Morris, State of New Jersey.
- AA.** Docket No. CE05100883 – In the Matter of the Petition of Comcast of New Jersey II, LLC for a Renewal Certificate of Approval to Continue to Construct, Operate and Maintain a Cable Television System and Cable Communications System in and for the Township of Woodbridge, County of Middlesex, State of New Jersey.

IV. TELECOMMUNICATIONS

- A-1.** Docket No. TO05100862 - In the Matter of the Joint Application of Verizon New Jersey Inc. and Navigator Telecommunications, LLC for Approval of an Interconnection Agreement under Section 252 of the Telecommunications Act of 1996; and
- A-2.** Docket No. TO05030283 - In the Matter of the Joint Application of Verizon New Jersey Inc. and Quality Telephone, Inc. for Approval of an Interconnection Agreement under Section 252 of the Telecommunications Act of 1996.
- B.** Docket No. TM05110975 – In the Matter of the Verified Petition for Approval of the Change of Control of Telscape Communications, Inc. from TSG Capital Fund III, LP to Gemini Partners, Inc. and Scorpion Capital Partners, L.P.
- C.** Docket No. TM05121051 – In the Matter of the Joint Petition of Con Edison Communications, LLC and RCN Corporation for Approval of the Transfer of Control of Con Edison Communications, LLC to RCN Corporation.

V. WATER

- A.** Docket Nos. BPU WX04030214 and OAL PUC 2019-05 - In the Matter of the Takeover of the Franchise and Assets of the Seabrook Water Corporation under the Small Water Company and the Small Sewer Company Takeover Act, N.J.S.A. 58:11-59 et seq. – Order of Extension.
- B.** Docket No. WR05121056 - In the Matter of the Petition of Montague Sewer Company for an Increase in Rates for Sewer Service – Suspension Order.

V. WATER (CONT'D)

- C.** Docket No. WE99070506 - In the Matter of the Petition of Applied Wastewater Management, Inc. for Approval of (1) Municipal Consent by the Township of Clinton and (2) for Extension of its Existing Wastewater Rate and Tariff to the New Service Area.

VI. RELIABILITY AND SECURITY

NO ITEMS FOR CONSIDERATION

VII. CUSTOMER ASSISTANCE

- A.** Docket Nos. BPU EC05010049U and OAL PUC 2703-05 – In the Matter of Benjamin Levine, Petitioner v. Public Service Electric and Gas Company, Respondent.
- B.** Docket Nos. BPU EC05040347U and OAL PUC 4998-05 - In Matter of Jacqueline Gonzalez, Petitioner v. Jersey Central Power and Light Company, Respondent.

VIII. AUDITS

- A.** Docket No. TE05090776 – In the Matter of the Petition of CommPartners, LLC for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Interexchange Telecommunications Services within the State of New Jersey.

IX. MISCELLANEOUS

NO ITEMS FOR CONSIDERATION



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**AGENDA FOR BOARD MEETING
WEDNESDAY, FEBRUARY 1, 2006
10:00 a.m. – NEWARK**

1. CLEAN ENERGY

- A.** Docket No. EX03080616 - In the Matter of the New Jersey Renewable Portfolio Standards – Alternative Compliance Payments and Solar Alternative Compliance Payment 2006.
- B.** Non-Docketed Matter – In the Matter of the Adoption of a Revised Smart Growth Policy and Exemption Process to Allow for Expansions of Existing Buildings to Become Eligible for the NJ SmartStart Building Program.
- C.** Non-Docketed Matter – In the Matter of the Application by Ferreira Construction Co., Inc. for Financing under the Clean Energy Project Financing for Business Program and Application for Exemption under the SmartStart Eligibility Requirements.

2. ENERGY

- A.** Non-Docketed Matter - In the Matter of the Joint Boards on Security Constrained Economic Dispatch FERC Docket No. AD05-13-000 – Nunc Pro Tunc Approval of Comments Filed.
- B.** Docket Nos. BPU EM05020106 and OAL PUC1874-05 - In the Matter of the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control of Public Service Electric and Gas Company, and Related Authorizations; and

In the Matter of Exelon Corporation Public Service Enterprise Group - FERC Docket No. EC05-043-000 - **See Executive Session.**

- C.** Docket Nos. BPU ER02050303 and OAL PUC 5744-02 – In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in Electric Rates, for Changes in the Tariff for Electric Service, B.P.U. - N.J. No. 14 Electric Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, for Changes in its Depreciation Rates Pursuant to N.J.S.A. 48:2-18, and for Other Relief.

2. ENERGY (CONT'D)

- D. Docket No. EO05040317 – In the Matter of the Provision of Basic Generation Service (BGS) for the Period Beginning June 1, 2006.¹
- E. Docket Nos. EX02060363, EA02060364, EA02060365, EA02060366 and EA02060367 - In the Matter of the Deferred Balances Audits of New Jersey's Four Electric Utility Companies – Extension of Time to File Comments Regarding Investment Tax Credit.
- F. Docket No. EO05121063 – In the Matter of the Provision of Renewable Energy Certificates from Non-Utility Generators and the Board's Renewable Energy Portfolio Standard as it Pertains to Basic Generation Service Suppliers – **See Executive Session.**
- G. Non-Docketed Matter - Request for Proposals for Financial Advisor to the Board on Electric Utility Securitizations as Authorized in the Electric Discount and Energy Competition Act of 1999 (EDECA), N.J.S.A. 48:3-49 et seq. and Amendments – Contract Award.
- H. Docket No. EX00020091 – In the Matter of the Establishment of a Universal Service Fund Pursuant to Section 12 of the Electric Discount and Energy Competition Act of 1999 – One-Time Readjustment of Benefits in Response to December 2005 Rate Increases.

3. CABLE TELEVISION

- A. Non-Docketed Matter - In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992 - Permission to File Comments to the Federal Communications Commission.
- B. Docket No. CX05040335 - In the Matter of the Alleged Failure of Certain Subsidiaries of CSC Holdings, Inc. to Comply with Provisions of the New Jersey Cable Television Act N.J.S.A. 48:5A-1 et seq. and/or the New Jersey Administrative Code, N.J.A.C. 14:18-1.1 et seq. - **See Executive Session.**
- C. Non-Docketed Matter – In the Matter of the Pending Litigation with RCN Telecom Services, Inc. – **See Executive Session.**

4. TELECOMMUNICATIONS

- A. Docket No. TM05020168 - In the Matter of the Joint Petition of SBC Communications, Inc. and AT&T Corp. Together with its Certificated Subsidiaries for Approval of Merger – Motion to Modify Order of Approval.

¹ The BGS auction is scheduled to begin on February 3, 2006. The purpose of this item is to have the Commissioners available to consider matters that may arise and may require prompt Board action related to the conduct of the auction as it proceeds and/or certification of the final auction results. The current Agenda Meeting will be recessed and the matter will be continued, and reconvened prior to the next regularly scheduled Board Agenda meeting on February 22, 2006. Public notice of the intention to reconvene will be posted on the Board's web site as soon as possible.

Agenda for Board Meeting
Wednesday, February 1, 2006
10:00 a.m. – Newark

4. TELECOMMUNICATIONS (CONT'D)

- B.** Docket No. TT97120889 - Classification of Verizon's Directory Assistance Service as Competitive.

5. WATER

- A.** Docket No. WR03070510 - In the Matter of the Petition of Elizabethtown Water Company for Approval of an Increase in Rates for Water Service.
- B.** Docket No. WF05060538 – In the Matter of the Joint Petition of Elizabethtown Water Company, Inc. and the Mount Holly Water Company for Approval of a Financial Services Agreement with American Water Capital Corp.
- C.** Docket No. WF05060555 – In the Matter of the Petition of Applied Wastewater Management, Inc. for Approval of a Financial Services Agreement with American Water Capital Corp.
- D.** Docket Nos. BPU WR03120979 and OAL PUCRL00199-2004S – In the Matter of the Petition of South Jersey Water Supply Company, Inc. for an Increase in Rates for Water Service.

6. RELIABILITY AND SECURITY

- A.** Docket No. GS06010009K - In the Matter of Allegations of Violations of Law by J. F. Kiely Construction Company.

7. CUSTOMER ASSISTANCE

NO ITEMS FOR CONSIDERATION

8. AUDITS

- A.** Docket Nos. AA02020094, EA02020095, EA02020096, EA02020097, EA02020098 – In the Matter of the Consultant's Report Regarding the Audits on the Competitive Service Offerings of Atlantic Electric Company, Jersey Central Power & Light Company, Public Service Electric & Gas, and Rockland Electric Company, Pursuant to the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-55, 48:3-56 and 48:3-58 – Nunc Pro Tunc Approval of Extension of Time to File Comments.

Agenda for Board Meeting
Wednesday, February 1, 2006
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8. AUDITS (CONT'D)

- B.** Docket No. AX04040277 – In the Matter of the Focused Audit on the Affiliated Transactions Between South Jersey Gas Company (SJG) and South Jersey Industries (SJI) and its Affiliates Pursuant to N.J.S.A. 48:3-49, 48:3-55, 48:3-56, 48:3-58 & N.J.A.C. 14:4-5 et. seq. and Management Audit of South Jersey Gas Company Pursuant to N.J.S.A. 48:2-16.4 and N.J.A.C. 14:3-12.1 - Consultant's Report.

9. MISCELLANEOUS

- A.** Non-Docketed Matter - In the Matter of the Request for Proposals (RFP) for Management Consulting: 360 Degree Feedback Evaluation Services – Release of RPF.

Agenda for Board Meeting
Wednesday, February 1, 2006
10:00 a.m. – Newark

LATE STARTER A

CLEAN ENERGY

Docket No. EO04121550 – In the Matter of Clean Energy Customer-On-Site Renewable Energy Policy – Change in Rebate Levels and Other Program Requirements.

EXECUTIVE SESSION

2. ENERGY

- B.** Docket No. EM05020106 - In the Matter of the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control of Public Service Electric and Gas Company, and Related Authorizations; and

In the Matter of Exelon Corporation Public Service Enterprise Group - FERC Docket No. EC05-043-000.

- F.** Docket No. EO05121063 – In the Matter of the Provision of Renewable Energy Certificates from Non-Utility Generators and the Board's Renewable Energy Portfolio Standard as it Pertains to Basic Generation Service Suppliers.

3. CABLE TELEVISION

- B.** Docket No. CX05040335 - In the Matter of the Alleged Failure of Certain Subsidiaries of CSC Holdings, Inc. to Comply with Provisions of the New Jersey Cable Television Act N.J.S.A. 48:5A-1 et seq. and/or the New Jersey Administrative Code, N.J.A.C. 14:18-1.1 et seq.

- C.** Non-Docketed Matter – In the Matter of the Pending Litigation with RCN Telecom Services, Inc.